

Gillian M. Ross (Bar No. 127116)
Leonard A. Marquez (Bar No. 206885)
WENDEL, ROSEN, BLACK & DEAN LLP
1111 Broadway, 24th Floor
Oakland, CA 94607-403
Telephone: (510) 834-6600
Fax: (510) 834-1928

Attorneys for Defendants
D.R. Horton, Inc., DHI Mortgage Company, Ltd,
LP., Donald Horton, Donald Tomnitz, Michael
Mason, Daniel Callihan, Annie Schankin and James
Frasure

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

PATRICE A. MISSUD, JULIE D.
MISSUD,

Plaintiff,

vs.

D.R. HORTON, INC.; DHI MORTGAGE
COMPANY, LTD, LP.; DONALD
HORTON; DONALD TOMNITZ;
MICHAEL MASON; DANIEL
CALLIHAN; ANNIE SCHANKIN;
JAMES FRASURE; and DOES 1-200,

Defendants.

Case No. C07-2625 JL

**[PROPOSED] ORDER GRANTING
MOTION TO DISMISS**

Wendel, Rosen, Black & Dean LLP
1111 Broadway, 24th Floor
Oakland, CA 94607-4036

1 After full consideration of the (1) Motion to Dismiss filed by defendants D.R. Horton,
2 Inc., DHI Mortgage Company, Ltd., Donald Horton, Donald Tomnitz, Michael Mason, Daniel
3 Callihan, Annie Schankin and James Frasure (“Defendants”), the papers submitted by the parties
4 in support and in opposition thereto, and the arguments of counsel,

5 IT IS HEREBY ORDERED, DECREED AND AJUDGED that:

- 6 1. Defendants’ Motion to Dismiss is GRANTED.
- 7 2. The Court finds that plaintiffs have failed to carry their burden of showing
8 personal jurisdiction over any of the Defendants in this Court.
- 9 3. Plaintiffs’ entire complaint is hereby dismissed, without prejudice, as to all
10 Defendants in this action.

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12 Dated: _____

13 Judge of the Superior Court
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